

**EXHIBIT A**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	<u>STIPULATION</u>
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- v. -	:	S2 17 Cr. 548 (PAC)
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JOSHUA ADAM SCHULTE,	:	
	:	
Defendant.	:	
	:	
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IT IS HEREBY STIPULATED AND AGREED by and among the United States of America, by GEOFFREY S. BERMAN, United States Attorney for the Southern District of New York, David W. Denton, Jr., Sidhardha Kamaraju, and Matthew Laroche, Assistant United States Attorneys, of counsel, and Joshua Adam Schulte, the defendant, by and with the consent of his counsel, Sabrina Shroff, Esq., Edward Zas, Esq., and James Branden, Esq., that:

1. The defendant was detained at a prison operated by the Bureau of Prisons in April and May 2018.
2. In accordance with the policy of the Bureau of Prisons, phone calls made by inmates are recorded according to a unique PIN number provided to each inmate.
3. Government Exhibit 2001 is a compact disc containing a true and accurate recording of a telephone call made by the defendant while incarcerated at a prison operated by the Bureau of Prisons on April 17, 2018, at approximately 12:35 p.m.



4. Government Exhibit 2001-T is an accurate transcript of the recorded call contained in Government Exhibit 2001, and includes accurate attributions for the statements contained therein and in Government Exhibit 2001.

5. Government Exhibit 2002 is a compact disc containing a true and accurate recording of a telephone call made by the defendant while incarcerated at a prison operated by the Bureau of Prisons on April 17, 2018, at approximately 6:58 p.m.

6. Government Exhibit 2002-T is an accurate transcript of the recorded call contained in Government Exhibit 2002, and includes accurate attributions for the statements contained therein and in Government Exhibit 2002.

7. Government Exhibit 2003 is a compact disc containing a true and accurate recording of a telephone call made by the defendant while incarcerated at a prison operated by the Bureau of Prisons on April 17, 2018, at approximately 8:14 p.m.

8. Government Exhibit 2003-T is an accurate transcript of the recorded call contained in Government Exhibit 2003, and includes accurate attributions for the statements contained therein and in Government Exhibit 2003.


IT IS FURTHER STIPULATED AND AGREED that this Stipulation, as Government Exhibit 3001, and Government Exhibits 2001, 2001-T, 2002, 2002-T, 2003, and 2003-T may be received in evidence as Government Exhibits at trial.

Dated: New York, New York  
January 31, 2020

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York

By: 

David W. Denton, Jr.  
Sidhardha Kamaraju  
Matthew Laroche  
Assistant United States Attorneys  
Southern District of New York

  
Sabrina Shroff, Esq.  
Edward Zas, Esq.  
James Branden, Esq.  
Attorneys for Joshua Adam Schulte

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SOUTHERN DISTRICT OF NEW YORK

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1. If called as a witness, a representative of Google, Inc. ("Google") with knowledge of the matter would testify that GX 1305-1 through 1305-10 are true and correct copies of documents from the account joshschultel@gmail.com, including subscriber information, emails, and Google searches conducted and websites visited by the user of that account, and the date and time those searches occurred and the websites visited search history, were made at or near the time by, or from information transmitted by, a person with knowledge of the matters set forth

in the records; they were kept in the course of a regularly conducted business activity; and it was the regular practice of that business activity to maintain the records.

2. If called as a witness, a representative of Amazon.com, Inc. ("Amazon") with knowledge of the matter would testify that GX 1306-1 contains true and correct copies of documents from Amazon associated with Amazon user account joshschultel@gmail.com, which were made at or near the time by, or from information transmitted by, a person with knowledge of the matters set forth in the records; they were kept in the course of a regularly conducted business activity; and it was the regular practice of that business activity to maintain the records.

3. If called as a witness, a representative of Automattic, Inc. ("Automattic") with knowledge of the matter would testify that GX 1301-1 through 1301-4B are true and correct copies of documents from Automattic associated with Automattic profile <https://en.gravatar.com/joshschultel>, which includes the WordPress websites [joshschulte.wordpress.com](https://joshschulte.wordpress.com), [presumptionofslavery.wordpress.com](https://presumptionofslavery.wordpress.com), and [presumptionofinnocence.net](https://presumptionofinnocence.net), and which were made at or near the time by, or from information transmitted by, a person with knowledge of the matters set forth in the records; they were kept in the course of a regularly conducted business activity;

and it was the regular practice of that business activity to maintain the records.

4. If called as a witness, a representative of Buffer, Inc. ("Buffer") with knowledge of the matter would testify that GX 1302-1 is a true and correct copy of documents from Buffer associated with the Buffer account with the user ID 5b8c7b5804c2e71709f92901 and associated with email address freejasonbourne@protonmail.com, and which were made at or near the time by, or from information transmitted by, a person with knowledge of the matters set forth in the records; they were kept in the course of a regularly conducted business activity; and it was the regular practice of that business activity to maintain the records.

5. If called as a witness, a representative of Twitter, Inc. ("Twitter") with knowledge of the matter would testify that GX 1304-1 through 1304-3 are true and correct copies of documents from the Twitter account @freejasonbourne, and which were made at or near the time by, or from information transmitted by, a person with knowledge of the matters set forth in the records; they were kept in the course of a regularly conducted business activity; and it was the regular practice of that business activity to maintain the records.


6. IT IS FURTHER STIPULATED AND AGREED that this Stipulation, as Government Exhibit 3002, and Government Exhibits 1305-1 through 1305-10, Government Exhibit 1306-1, GX 1301-1 through 1301-4B, Government Exhibit 1302-1, and Government Exhibits 1304-1 through 1304-3 may be received in evidence as Government Exhibits at trial.

Dated: New York, New York  
January 31, 2020

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York

By: 

David W. Denton, Jr.  
Sidhardha Kamaraju  
Matthew Laroche  
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Southern District of New York

  
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1. If called as a witness, a special agent ("Agent-1") with the Federal Bureau of Investigation ("FBI") with knowledge of the matter would testify that on or about March 14 and 15, 2017, Agent-1 was present at 200 East 39th Street, Apartment 8C, New York, New York 10016 (the "Apartment") to execute a search warrant (the "Search Warrant"). While present at the Apartment, Agent-1 recovered: (i) a computer that was used by the defendant containing four hard drives and that was logged into evidence as SC01 (the "Home Computer"); (ii) a thumb drive that bears the

marking "ufcu.org" and that is marked as Government Exhibit 1603 (the "Thumb Drive"); (iii) a rack containing two servers, the first server of which contained five hard drives and the second server of which also contained five hard drives, and that was logged into evidence as SC48 (the "Rack Servers"); (iv) six 1 terabyte hard drives that are marked as Government Exhibits 1608 through 1613, respectively, one 640 gigabyte hard drive that is marked as Government Exhibit 1614, and one 160 gigabyte hard drive that is marked as Government Exhibit 1615.

2. Government Exhibit 1601 is a compact disc containing GX 1601-1 through 1601-26, which are true and accurate copies of photographs of the Home Computer; Government Exhibits 1401, 1402, and 1403 are compact discs containing GX 1401-1 through 1401-16, 1402-1 through 1402-10, and 1403-1 through 1403-7, which are true and accurate copies of forensic files and data recovered from the Home Computer; Government Exhibit 1404 is a compact disc containing GX 1404-1 through 1404-15, which are true and accurate copies of forensic files and data recovered from the Thumb Drive; Government Exhibit 1605 is a compact disc containing GX 1605-1 through 1605-53, which are true and accurate copies of photographs of the Rack Servers; Government Exhibit 1405 is a compact disc containing GX 1405-1 through 1405-12, which are true and accurate copies of portions of Internet Relay Chats recovered from the Rack Servers.

3. If called as a witness, a special agent ("Agent-2") with the FBI with knowledge of the matter would testify that on or about March 14 and 15, 2017, Agent-1 was present at the Apartment to execute the Search Warrant. While Agent-2 was present in the Apartment, Agent-2 recovered (i) hardcopies of Government Exhibits 1616 through 1619 from a headboard in the defendant's bedroom; (ii) pieces of shredded paper from a shredder that are contained in a bag marked as Government Exhibit 1620. Government Exhibit 1621 is a reconstruction of some of the pieces of shredded paper recovered from the Apartment.

4. If called to testify, an officer with the Federal Bureau of Prisons would testify that on or about October 5, 2018, Officer-1 recovered a Samsung cellphone with IMEI number 357073084445432 (the "Samsung Phone") from Unit 7-South within the Metropolitan Correctional Center, 150 Park Row, New York, New York 10007. Government Exhibit 821 is a compact disc containing true and accurate true and accurate copies of forensic files and data recovered from the Samsung Phone. Government Exhibit 822 is a compact disc containing true and accurate copies of messages sent and received using the messaging application Signal on the Samsung Phone.

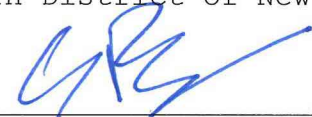
IT IS FURTHER STIPULATED AND AGREED that this Stipulation, as Government Exhibit 3003, Government Exhibits 1603, 1608 through 1615, 1601, 1401 through 1404, 1605, 1405, 1616 through 1621, 821, and 822, and all Government Exhibits contained on Government Exhibits 1601, 1401 through 1404, 1605, 1405, 821, and 822 may be received in evidence as Government Exhibits at trial.

Dated: New York, New York  
January 31, 2020

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York

By: 

David W. Denton, Jr.  
Sidhardha Kamaraju  
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Assistant United States Attorneys  
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1. Government Exhibit 100 is a compact disc containing true and accurate Central Intelligence Agency ("CIA") badge records for (i) Joshua Adam Schulte, identified as Government Exhibits 105, 107, 108, and 109; (ii) Rufus, identified as Government Exhibits 101 and 112; (iii) David, identified as Government Exhibits 102 and 113; (iv) Timothy, identified as Government Exhibits 103 and 114; (v) Andrew, identified as Government Exhibit 104; (vi) Jeremy Weber, identified as Government Exhibits 106 and 117; (vii) Michael, identified as

Government Exhibit 115; and (viii) Amol, identified as Government Exhibit 116. Government Exhibits 101 through 109 and 112 through 117 were made at or near the time by, or from information transmitted by, a person with knowledge of the matters set forth in the records; they were kept in the course of a regularly conducted business activity; and it was the regular practice of that business activity to maintain the records. The time stamps on Government Exhibits 101 through 109 and 112 through 117 reflect local time in 24-hour format.

2. Government Exhibit 111 is a true and accurate copy of floor plans for the eighth and ninth floors for the CIA's Center for Cyber Intelligence's office in which the defendant worked.

3. Government Exhibit 200 is a compact disc containing true and correct copies of portions of the defendant's CIA personnel file, including Government Exhibit 201, which is a training the defendant took while employed at the CIA; Government Exhibit 202, which is a portion of the defendant's CIA employee bio; Government Exhibits 401 through 405, which are various nondisclosure agreements and security paperwork signed by the defendant prior to resigning from the CIA; Government Exhibits 406 through 408, which are various of the defendant's performance activity reports at the CIA; Government Exhibit 409 is a Letter of Warning provided to the defendant on or about June 22, 2016; and Government Exhibit 411 is a complaint filed

by the defendant to the Office of Equal Employment Opportunity Commission.

4. Government Exhibit 300 is a compact disc containing true and accurate copies of documents, marked as Government Exhibits 301 through 304, recovered from the defendant's desk area following his resignation from the CIA.

5. Government Exhibit 500 is a compact disc containing true and correct copies of portions of the defendant's CIA security file, including Government Exhibits 506 through 507, which are outside activities reports completed by the defendant while employed at the CIA; Government Exhibit 505, which is a complainant statement signed by the defendant while employed at the CIA; Government Exhibit 508 is excerpts of a recording of an April 8, 2016 interview of the defendant while at the CIA; and Government Exhibit 509 is excerpts of a recording of a July 19, 2016 interview of the defendant while at the CIA.

6. Government Exhibits 601 through 616 are true and accurate copies of network documentation for certain CIA computer systems.

7. Government Exhibits 701, 702, 704 through 708, 712 through 714, 716, 718, 719, and 720 are true and accurate copies of electronic communications that were transmitted over CIA messaging systems. The time stamps on Government Exhibits 701,

702, 704 through 708, 712 through 714, 716, 718, 719, and 720 reflect local time in 24-hour format.

8. Government Exhibits 1001 through 1012, 1015 through 1056, 1058 through 1098, 1100 through 1103, 1105, 1107, 1108, 1110 through 1116, 1118, 1119, 1121, 1124, 1128 through 1130, and 1132 through 1137 are true and accurate copies of e-mail communications sent and received using CIA computer systems.

9. Government Exhibit 5001 is a true and accurate copy of portions of the CIA's October 17, 2017 WikiLeaks Task Force Final Report.


IT IS FURTHER STIPULATED AND AGREED that this Stipulation, as Government Exhibit 3004, and Government Exhibits 100, 111, 200, 300, 500, 601 through 616, 701, 702, 704 through 708, 712 through 714, 716, 718, 719, 720, 1001 through 1012, 1015 through 1056, 1058 through 1098, 1100 through 1103, 1105, 1107, 1108, 1110 through 1116, 1118, 1119, 1121, 1124, 1128 through 1130, 1132 through 1137, and GX 5001 may be received in evidence as Government Exhibits at trial.

Dated: New York, New York  
January 31, 2020

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York

By: 

David W. Denton, Jr.  
Sidhardha Kamaraju  
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1. If called as a witness, a member of the Federal Bureau of Investigation ("FBI")'s Computer Analysis Response Team ("CART Member-1") with knowledge of the matter would testify that on or about March 10, 2017, CART Member-1 was present at the office building for the Central Intelligence Agency ("CIA"), Center for Cyber Intelligence ("CCI"), located in the Washington Metropolitan Area (the "CCI Building"). While CART Member-1 was present in room 9E79 of the CCI Building, CART Member-1 recovered (i) a Dell Precision Computer Tower that was used by

the defendant to access the CIA computer network called DEVLAN while the defendant was employed at the CIA and that was logged into evidence as E0001\_RM9E79\_Tower ("Device E0001") and (ii) a Sandisk Extreme USB Device that was logged into evidence as E0003\_RM9E79\_FM014 ("Device E0003\_FM014"). Device E0001 contained four hard drives ("Hard Drive-1" through "Hard Drive-4"). Government Exhibit 1201 is a compact disc containing true and accurate copies of photographs of Device E0001; Government Exhibit 1202 is a compact disc containing true and accurate copies of forensic files and data recovered from Hard Drive-1; Government Exhibit 1203 is a CD containing true and accurate copies of forensic files and data recovered from Hard Drive-3; Government Exhibit 1203-28 is a CD containing a true and accurate copy of a log file recovered from Hard Drive-3; Government Exhibit 1204 is a compact disc containing true and accurate copies of photographs of Device E0003\_FM014; and Government Exhibit 1205 is a compact disc containing true and accurate copies of forensic files and data recovered from Device E0003\_FM014.

2. If called as a witness, another member of FBI CART ("CART Member-2") with knowledge of the matter would testify that on or about March 11, 2017, while CART Member-2 was present in room 9E79 of the CCI Building, CART Member-2 recovered a NetApp server containing twenty-four hard drives that was logged

into evidence as E0018\_RM9E79\_24HDD ("Device E0018").

Government Exhibit 1206 is a compact disc containing true and accurate copies of photographs of Device E0018, and Government Exhibit 1207 is a compact disc containing true and accurate copies of forensic files and data recovered from Device E0018.

3. If called as a witness, another member of FBI CART ("CART Member-3") with knowledge of the matter would testify that on or about March 23, 2017, while CART Member-3 was present in room 9W89A of the CCI Building, CART Member-3 recovered an ESXi server that was logged into evidence as E022\_RM9W89A\_Dell ("Device E0022"). Government Exhibit 1208 is a compact disc containing true and accurate copies of photographs of Device E0022, and Government Exhibit 1209 is a compact disc containing true and accurate copies of forensic files and data recovered from Device E0022.

4. If called as a witness, another member of FBI CART ("CART Member-4") with knowledge of the matter would testify that on or about June 9, 2017, while CART Member-4 was present in room 9E78 of the CCI Building, CART Member-4 recovered a Dell Precision Tower 7910 containing two hard drives that was logged into evidence as E0056\_RM9E78-010 ("Device E0056"). Government Exhibit 1210 is a compact disc containing true and accurate copies of photographs of Device E0056, and Government Exhibit

1211 is a compact disc containing true and accurate copies of forensic files and data recovered from Device E0056.

5. If called as a witness, another member of FBI CART ("CART Member-5") with knowledge of the matter would testify that on or about March 12, 2017, while CART Member-5 was present at an offsite CIA facility located in the Washington Metropolitan Area, CART Member-5 recovered a NetApp server that was logged into evidence as E0012\_RMLE70E ("Device E0012"). Government Exhibit 1212 is a compact disc containing true and accurate copies of forensic files and data recovered from Device E0012.


IT IS FURTHER STIPULATED AND AGREED that this Stipulation, as Government Exhibit 3005, Government Exhibits 1201 through 1212, and all Government Exhibits contained on Government Exhibits 1201 through 1212 may be received in evidence as Government Exhibits at trial.

Dated: New York, New York  
January 31, 2020

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York

By: 

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